UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,898	04/17/2000	Hirokazu Aoshima	ASA-878	1272

24956   7590   08/27/2003

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EXAMINER
BURGESS, BARBARA N.

ART UNIT	PAPER NUMBER
2157	8

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No	Applicant(s)	
Office Action Summary	09/550,898	AOSHIMA ET AL.	
	Examiner	**Art Unit**	
	Barbara N Burgess	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2003* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This Office Action is in response to amendments submitted on June 18, 2003. Claims

1-40 are presented for further examination. Claims 41-56 were added and are

presented for initial examination.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 9-11, 12, 22-24, 25, 28—33, 41-56 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Duursma et al. (hereinafter "Duursma", US 2002/0103884

A1) in view of Kenner et al. (hereinafter "Kenner", 6,314,565 B1).

As per claims 1, 9-10, 12, 22-23, 25, 28, 30-33, 41-43, 45-47, 49-51, 53-55,

Duursma discloses an information distributing method of distributing information via a

communication path to an information user unit, comprising the steps of:

- Receiving a first request from the information user unit (paragraphs [0046], [0047]);

- Receiving first information from a first information providing resource (paragraph

  [0047]);

- Transmitting a predetermined program code to the information user unit according to the first request (paragraphs [0046], [0047]);

- Receiving a second request to receive from a second information providing resource second information quoted in the first information and transmitted from the information user unit using the program code (paragraphs [0047], [0048], [0049]);

- Determining in response to the second request whether or not the second request is allowed according to at least identifying information (URI) included in the second request (paragraphs [0041]-[0043], [0048]-[0049]).

Duursma does not explicitly disclose:

- Identifying information (URI) identifying said first information.

However, the use and advantages for using such identifying information is well known to one skilled in the relevant art at the time the invention was made as evidenced by Kenner (column 10, lines 5-35).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate the URI identifying the first information in Duursma's method in order to identify a program running on the server that is able to parse the remainder of the request.

As per claims 2, 13, and 34, Duursma discloses wherein the determining step determines whether or not the second request is allowed according to:

- Database including a correspondence between an identifier code (ID) specifying second information for which quotation is allowed in the second information

providing resource and an identifier of first information in the first information

providing source (paragraphs [0041]-[0043], [0048]).

As per claims 3, 14, 26, 35, 44, 48, 52, 56, Duursma further discloses wherein:

- The program code has a password (paragraphs [0041]-[0043], [0048]);

- Second request includes an identifier code to identify the second information to be

  quoted and the password (paragraphs [0041]-[0043], [0048]);

- Determining step further includes a step of collating the password in the second

  request received from the information user unit with a valid password (paragraphs

  [0041]-[0043], [0048]).

As per claims 4, 15, 17, and 36, Duursma discloses wherein the determining step

allows:

- The identifier code to identify the second information is included in the database

  (paragraphs [0041]-[0043], [0048]).

As per claims 5, 16, and 37, Duursma further discloses including a step:

- Frequently changing a password in a program code to be sent to the information

  user unit (paragraphs [0041]-[0043], [0048]).

As per claims 11, 24, and 29, Duursma discloses:

- When the first information providing resource and the second information providing resource are implemented by a common server, said server distributes the first information via the communication path to a client as the information user unit and distributes, if the determining step allows the second request, the second information quoted in the first information to the client (paragraphs [0031], [0038], [0042], [0043]).

3.   Claims 6-8, 18-21, 27, 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duursma et al. (hereinafter "Duursma", US 2002/0103884 A1) in view of Kenner et al. (hereinafter "Kenner", 6,314,565 B1) and in further view of Savage.

As per claims 6, 8, 18, 20, 27, 38, and 40, Duursma, in view of Kenner, does not explicitly disclose wherein:

- Program code includes an encryption key to encrypt the second request;

- Second request includes information obtained by encrypting an identifier code to identify the second information according to the encryption key;

- The determining step further includes a step of verifying to determine whether or not the second request can be decoded;

- Frequently changing an encryption key in a program code to be sent to the information user unit

However, in an analogous art, Savage discloses the use of an encryption key (column 3, lines 32-54, column 5, lines 33-38, 65-67, column 6, lines 19-228, 41-46, 64-76).

Therefore, one of ordinary skill in the art at the time the invention was made
would have found it obvious to implement or incorporate the use of an encryption key in
Duursma's method so that third parties monitoring network traffic going to or coming
from any of the servers in the system facility, either legally or illegally, are never able to
connect an action taken by the server to the identity of a user who is connected to the
server.

As per claims 7, 19 and 39, Duursma further discloses wherein the determining step
allows:

- Second request when the second request can be decoded and the identifier code to
  identify the second information is included in the database (paragraphs [0041]-
  [0043], [0048]).

As per claim 21, Duursma further discloses:

- Including a database for storing therein a certain number of previous encryption keys
  and a current encryption key (paragraphs [0041]-[0043], [0048]).

Response to Arguments

The Office notes the following arguments:

(a)   None of the cited references disclose that the second information includes
identifying information of the primary information, nor that the quoted information

providing unit determines whether or not the second request is allowed according to this identifying information.

In response to:

(a)   Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (703) 305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (703) 308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Barbara N Burgess
Examiner
Art Unit 2157

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August 22, 2003
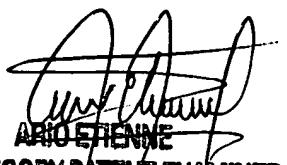
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